

DEPARTMENT OF TRANSPORTATION

Adoption of Chapter 19-30
Hawaii Administrative Rules
February 14, 1986

SUMMARY

Chapter 19-30, Hawaii Administrative Rules,
entitled "Baggage Carts, Dollies, and Other Similar
Devices", is adopted.

HAWAII ADMINISTRATIVE RULES

TITLE 19

DEPARTMENT OF TRANSPORTATION

SUBTITLE 2

AIRPORTS DIVISION

CHAPTER 30

BAGGAGE CARTS, DOLLIES, AND OTHER SIMILAR DEVICES

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\$19-30-2	Definitions
\$19-30-3	Operation of Carts
\$19-30-4	Loading
\$19-30-5	Cart protective features
\$19-30-6	Cart wheel requirements
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\$19-30-10	Severability
\$19-30-11	Enforcement
\$19-30-12	Penalty

\$19-30-1 Purpose. The purpose of this chapter is to establish minimum levels of controls for the safe use of non-motorized carts within the airport terminal building areas. Airport permittees, tenants, and others using baggage carts, dollies, or other similar devices in the commercial delivery or conveyance of baggage, merchandise, or other articles at public airports shall comply with this chapter.
 [Eff MAR 27 1986] Auth: HRS §261-12)
 (Imp: HRS §261-12)

\$19-30-2 Definitions. As used in this chapter:
 "Airport terminal building area" means the terminal building and all buildings and structures located within the airport and open to the public for the purpose of flight ticket purchase, baggage check-in, waiting lobby, baggage claim, walkway to gate areas, elevated and ground-level sidewalks, and those other facilities related to public air travel.
 "Balloon cushion wheels" mean solid rubber wheels specifically designed for maximum shock absorption, quietness, maneuverability, and rolling ease.

"Cart" means any hand-propelled cart, truck, dolly, or other similar device used for business purposes or in the commercial delivery of baggage, merchandise, or other articles within the airport terminal building area. Foldable small personal two-wheeled luggage carriers are exempt from this section.

"Person" means any individual, firm, partnership, corporation, trust, association, company, joint venture, or any other legal entity (including any assignee, receiver, trustee, employee, or similar representative).
[Eff MAR 27 1986] (Auth: HRS §261-12) (Imp: HRS §261-12)

§19-30-3 Operation of Carts. (a) No user may operate a cart in any manner which would pose a threat or hazard to the safety of both the user or others, or employ any cart in a manner contrary to that for which it is expressly designed.

(b) Cart traffic shall yield the right-of-way to pedestrian traffic at all times.

(c) Each cart used at a public airport shall be identified with the company or owner's name.

(d) Carts belonging to airport tenants or permittees shall be limited for use in the performance of recognized or authorized services only. Use of these carts by others for convenience or by the general public shall be prohibited. [Eff MAR 27 1986]
(Auth: HRS §261-12) (Imp: HRS §261-12)

§19-30-4 Loading. Carts may not be loaded, stacked or otherwise burdened in any manner which will:

- (1) Obstruct the forward or aft visibility of the user when pushed or propelled from the rear or pulled or towed from the front; or
- (2) Exceed the design load or height limit for conveyance as determined by the arrangement of rails or guides built onto the carts, whichever is higher or greater.

[Eff MAR 27 1986] (Auth: HRS §261-12)
(Imp: HRS §261-12)

§19-30-5 Cart protective features. With the exception of two-wheeled handtrucks and approved passenger rental baggage carts, handles, corners or protruding edges of carts shall be adequately configured with bumpers or other padding or protection. Bumpers shall consist of non-marking material, of adequate size and strength, and securely fastened.
[Eff MAR 27 1986] (Auth: HRS §261-12) (Imp: HRS §261-12)

§19-30-6 Cart wheel requirements. With the exception of baggage carts approved for the use of the cart vending concessionaire, all four-wheeled carts shall be equipped with either inflatable rubber wheels with a minimum size of 2.80-2.50/4, 4.10-3.50/4 or larger, or balloon cushion wheels with a minimum load capacity of four hundred and fifty lbs. and a tread durometer range of 60-70(+ 5) on Shore A scale, or equivalent. The wheels shall have a minimum of four inches overall diameter with a minimum of 2-1/4" tread width and 1-1/2" tread thickness. Metal, hard rubber welded disc, or other cushion rubber wheels which do not meet the requirements specified above are prohibited. [Eff ^{MAR 27 1986}] (Auth: HRS §261-12)
(Imp: HRS §261-12)

§19-30-7 Stairway and escalator restrictions. Carts with three or more wheels and loaded two-wheeled hand trucks except small foldable personal two-wheeled luggage carriers which are exempt from this section, are prohibited from escalators or stairs. Conveyance between floors or building levels shall be accomplished only through the use of appropriate roadways or elevators. [Eff ^{MAR 27 1986}] (Auth: HRS §261-12)
(Imp: HRS §261-12)

§19-30-8 Cart storage. Carts may not be left unattended, stored, placed, secured, chained, or positioned in any area except in those locations or spaces specifically prescribed or authorized for that activity, or in any manner which would block or obstruct emergency access doors or routes. Any improper placement or storage shall result in an assessment of a \$10 penalty for each item or article which is improperly placed or stored, or in the seizure of the item or article at the owner's risk and expense, plus applicable storage and service fees resulting therefrom, or both a penalty and seizure. Upon seizure of any item or article, the department shall send a written notice by registered or certified mail, with return receipt, to the owner of the property at the address on record with the department. The notice shall contain a brief description of the item or article, the location of seizure, and intended disposition of the property if not claimed within ten days after receipt of the notice. If following reasonable attempts by the department, the owner cannot be located, the item or article shall be held for forty-five days from date of seizure after which time it shall be disposed of as unclaimed lost property. [Eff ^{MAR 27 1986}] (Auth: HRS §261-12)
(Imp: HRS §261-12)

§19-30-9 Responsibility for damage to airport property. (a) No person shall destroy or cause to be destroyed, injure, damage, deface or disturb in any way, property of the airport, or willfully abandon any personal property or equipment in the airport.

(b) Any person causing or deemed to be responsible for the destruction, damage, disturbance, or injury to airport property shall be required to report orally and in writing the damage to the airport police and shall repair, replace, or reimburse the airport the full amount of the damage.

(c) Any person failing to comply with subsection (b) may be refused the use of any airport facility, or, be subject to termination of all permittee, tenant, or user operating privileges and shall be subject to any applicable or appropriate enforcement action or proceedings as prescribed by law. [Eff MAR 27 1986]
(Auth: HRS §261-12) (Imp: HRS §261-12)

§19-30-10 Severability. The provisions of this chapter are declared to be severable and if any portion or the application thereof is held to be invalid for any reason, the validity of the remainder of this chapter shall not be affected. [Eff MAR 27 1986]
(Auth: HRS §261-12) (Imp: HRS §261-7)

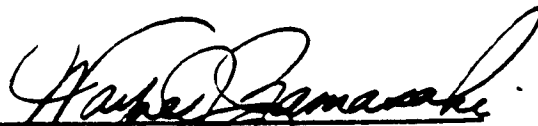
§19-30-11 Enforcement. This chapter may be enforced by police officers or any person deputized pursuant to section 261-17, Hawaii Revised Statutes. [Eff MAR 27 1986] (Auth: HRS §261-12) (Imp: HRS §261-17)

§19-30-12 Penalty. Penalties for violations of this chapter shall provided set forth in section 261-21, Hawaii Revised Statutes. [Eff MAR 27 1986] (Auth: HRS §261-12) (Imp: HRS §261-21)


DEPARTMENT OF TRANSPORTATION

Chapter 19-30, Hawaii Administrative Rules, on the Summary Page dated February 14, 1986, was adopted on February 14, 1986, following public hearings held on January 7 through 10, 1986, after public notices were given in the Honolulu Advertiser, Honolulu Star-Bulletin, Garden Island News, Maui News, and Hawaii Tribune-Herald on December 13, 1986.

The adoption of chapter 19-30 shall take effect ten days after filing with the Office of the Lieutenant Governor.


WAYNE J. YAMASAKI
Director of Transportation

APPROVED:


GEORGE R. ARIYOSHI
Governor
State of Hawaii

Dated: 3-15-86

APPROVED AS TO FORM:


Deputy Attorney General

REC'D. BY

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LI. GOVERNOR'S OFFICE

3-17-86

Filed